

**REMARKS**

Claims 1-27 have been examined.

Claim 12 has been objected to on formal grounds.

Claims 1-2, 4-5, 11-12, 14-15, 18 and 26-27 have been rejected under §102(b) based upon U.S. Patent No. 5,390,090 to Nau (the "Nau '090 Patent").

Claims 3 and 13 have been rejected under §103(a) based upon the Nau '090 Patent in view of U.S. Patent No. 3,824,524 to Glover.

Claims 6-7 and 16-17 have been rejected under §103(a) based upon the Nau '090 Patent in view of U.S. Patent No. 6,565,239 to Rizkin.

Claims 8 and 23 have been rejected under §103(a) based upon the Nau '090 Patent in view of applicant's disclosure in the specification.

Claims 9-10 and 24-25 have been rejected under §103(a) based upon the Nau '090 Patent in view of U.S. Patent No. 5,924,790 to Ponton.

Claims 19-22 has been rejected under §103(a) based upon the Nau '090 Patent in view of U.S. Patent No. 4,697,950 to Copeland.

Claims 1, 11, 26 and 27 have been amended herein.

Claims 3 and 13 have been canceled.

New Claims 28 and 29 have been added.

This Amendment has been prepared in accordance with the revised amendment practice as set forth in revised 37 C.F.R. §1.121 effective July 30, 2003. Reconsideration and allowance of the claims, as amended, are respectfully requested.

Objection to Specification

With reference to page 2 of the Office Action, the Examiner has requested that Applicant delete certain references to FIGS.1 and 2 on Page 11, Lines 11-13 of the application and FIGS. 6 and 7 on Page 19, Lines 8-9 of the application. In response thereto, the specification has been amended so as to overcome the objection.

Claim Objections

The Examiner has objected to Claim 12 because the limitation "said base" in line 1 of the claim has insufficient antecedent basis. Applicant respectfully notes that Claim 12 does not contain the claim limitation "said base." Rather, Claim 26 contains the limitation "said base," which has insufficient antecedent basis. By way of the foregoing claim amendments, the limitation "said base" of Claim 26 has been changed to read "said masonry structure," which has sufficient antecedent basis and support in the originally filed specification. Accordingly, the Examiner's objection has been overcome.

Claim Rejections Under 35 U.S.C. §102

With reference to page 2 of the Office Action, the Examiner has rejected Claims 1-2, 4-5, 11-12, 14-15, 18 and 26-27 under 35 U.S.C. §102(b) as being anticipated by the Nau '090 Patent. For the reasons that follow, this rejection is respectfully traversed.

As an initial matter, Applicant has amended certain rejected claims (e.g., independent apparatus Claims 1 and 11 and independent method Claim 27) to emphasize and clarify various novel features of the present invention. More particularly,

independent apparatus Claims 1 and 11 and independent method Claim 27 have been amended to clarify that the modular light assembly recited therein is sealed unit and includes a self-contained light source. That is, the modular light assembly is not designed to be disassembled by a user in order to facilitate removal and replacement of the light source. Thus, in order to replace the light source, the entire modular light assembly is removed and replaced by a new modular light assembly. Apparatus Claims 1 and 11 have also been amended to clarify that the modular light assembly recited therein includes a first connecting means and the socket includes a second connecting means that provide for a mechanical connection and an electrical connection between the modular light assembly and the socket. Similarly, method Claim 27 has been amended to clarify that the modular light assembly and the socket are mechanically and electrically connected to one another.

Turning now to the Examiner's rejection of independent apparatus Claim 1, the Nau '090 Patent discloses a lamp 10 that includes a rectangular-shaped case 12, an electric bulb housing 14 mounted within the case 12, an electric bulb socket 16 mechanically mounted on a lip 22 of the housing 14, and a lens 18 mounted to the top of the case 12. While an electric bulb 26 is mounted within the socket 16, there is no electrical connection between the socket 16 and the housing 14. A seal 46 is disposed within a space 48 between an upper end 50 of the housing 14 and an upper sidewall 52 of the case 12.

Applicant notes that the lamp disclosed in the Nau '090 Patent differs substantially in structure and function from the present invention as defined by amended

independent Claim 1. In the Nau '090 Patent, the housing 14 is not a sealed unit having a self-contained light source. Rather, the light bulb 16 is an element that is separate and distinct from the housing 14 and is removable from the interior thereof. In addition, the modular light assembly employed by the present invention is both mechanically and electrically connected to the socket. On the contrary, the housing 14 and the socket 16 employed by the lamp 10 disclosed in the Nau '090 Patent are only mechanically connected to one another.

In light of the foregoing, numerous steps must be undertaken to replace the light bulb 26 of the lamp 10 disclosed in the Nau '090 Patent. That is, the lamp 10 must be almost completely disassembled in order to remove and replace the light bulb 26. For example, in order to replace the bulb 26, the housing 14 must be removed from the case 12 and the seal 48 must be removed. Next, the socket 16 must be removed from the housing 14 in order to facilitate the removal of the bulb 26 therefrom. Then, after replacing the bulb 26 in the socket 16, the socket 16 must be mounted back on the housing 14, the housing 14 must be mounted within the case 12, and the seal 48 must be refitted between the housing 14 and the case 12.

With respect to Applicant's invention as recited in amended Claim 1, very little disassembly of the lighting fixture is required in order to remove and replace the light source. More particularly, because the modular light assembly recited in amended Claim 1 is designed to be totally replaceable (i.e., it is a sealed unit having a self-contained light source) and because it is both mechanically and electrically connected to the socket, replacement of the light source can be accomplished simply by removing

the modular light assembly from the support member and disconnecting it from the socket. A new modular light assembly is then connected to the socket and mounted to the support member. It is further noted that the socket is removed from the cavity of the support member in response to the removal of the modular light assembly from the support member. As a result, a user can easily disconnect the modular light assembly from the socket, and connect a new modular light assembly to the socket, externally of the masonry structure. Therefore, the present invention, as it is defined in amended Claim 1, employs fewer components and requires less time and disassembly to facilitate the removal and replacement of the light source than those of the lamp disclosed in the Nau '090 Patent. Accordingly, independent Claim 1, as amended, patentably distinguishes over the Nau '090 Patent; and, therefore, such claim is in condition for allowance.

Because Claims 2-10 depend from amended independent Claim 1, they recite subject matter which is patentably distinguishable over the cited reference. Accordingly, Applicant's attorneys respectfully submit that Claims 2-10 are also in condition for allowance.

Turning now to independent apparatus Claim 11, Applicant's attorneys note that it is directed to a combination which includes the lighting fixture as recited in the body of amended Claim 1 and the lighting fixture's associated masonry structure. Applicant's attorneys respectfully submit that independent apparatus Claim 11 is patentably distinguishable over the prior art of record for the same reasons that independent Claim 1 distinguishes over such prior art. Therefore, independent Claim 11 should be in

condition for allowance along with the claims depending therefrom (i.e., Claims 12 and 14-27 and new claims 28 and 29).

Turning now to amended method Claim 27, it has been amended to include the steps of mechanically and electrically connecting a socket to a sealed modular light assembly having a self-contained light source and then mounting the modular light assembly to a support member such that the attached socket is positioned within an aperture of the masonry structure in which the support member is housed. Replacing the light source is accomplished by removing the modular light assembly from the support member, disconnecting it from the socket, and mechanically and electrically connecting the socket to another modular light assembly. Because the socket is connected to and disconnected from the modular light assembly externally of the masonry structure, the method recited in amended Claim 27 facilitates the removal and replacement of the light source and is less cumbersome than the bulb replacement procedure disclosed in the Nau '090 Patent. In such circumstances, amended method Claim 27 is patentability distinguishable over the Nau '090 Patent; and, therefore, it is in condition for allowance.

In view of the foregoing amendments and remarks, Applicant's attorneys respectfully request reexamination and allowance of Claims 1-2, 4-12 and 14-29. If such action cannot be taken, the Examiner is cordially invited to place a telephone call to the undersigned attorney to resolve any outstanding issue without the issuance of a further Office Action.

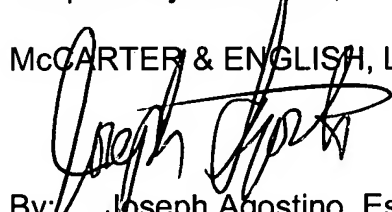
Appln. No. 10/757,952  
Amendment Dated: July 21, 2005  
Reply to Office Action mailed January 21, 2005

Also enclosed herewith is a petition for a two (2) month extension of time to and including July 21, 2005, for which a \$510 fee is due. The Petition authorizes the Examiner to charge this \$510 extension fee to Deposit Account No. 50-1402.

Applicant had previously paid for a total of 25 claims at the time of the filing of the original application. By way of the foregoing amendments, the total number of claims remains at 25. Accordingly, no additional fees are believed to be due as a result of this Amendment. If there are any additional fees due as a result of this Amendment, including, without limitation, extension and petition fees, then the Examiner is authorized to charge them to the undersigned attorney's Deposit Account No. 50-1402.

Respectfully submitted,

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